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1 exhibits admitted into evidence and being fully advised, the Board  
2 makes the following:

3 FINDINGS OF FACT

4 I.

5 The T/S Queensville, a steam turbine ship chartered by appellants  
6 from its Norwegian owners was, on December 4, 1972, berthed at  
7 Tacoma, Washington. She had, in 1970, received new burners and  
8 equipment for the sole purpose of minimizing the pollution caused  
9 by firing up her boilers and, when in port relies upon diesel  
10 generators for its electrical power.

11 II.

12 A 9:30 a.m. on that day, the chief engineer commenced firing  
13 the boiler preparatory to getting under way. By 2:10 p.m. sufficient  
14 steam pressure was attained so that at 2:15 p.m. the steam generator,  
15 and at 2:20 p.m. the turbine generator, were started.

16 III.

17 Although the automatic equipment aboard her should have prevented  
18 continuous smoke for more than one minute at a time during the period  
19 from 2:00 p.m. to 2:30 p.m., the fact remains that a plume of black  
20 smoke varying between a Ringelmann 3 and 3-1/2 was emitted from her  
21 stack for a period of about 16 minutes. Her chief engineer describes  
22 as "light" smoke, an emission from her, at 2:20 p.m., which was a  
23 Ringelmann 5.

24 IV.

25 Section 9.03(a) of respondent's Regulation 1 makes it unlawful t  
26 cause or allow the emission of an air contaminant darker in shade than

27 FINDINGS OF FACT,

CONCLUSIONS AND ORDER

1 No. 2 on the Ringelmann Chart for more than three minutes in any hour.

2 From these Findings, the Pollution Control Hearings Board makes  
3 these:

4 CONCLUSIONS

5 I.

6 Appellant, and its ship, was in violation of Section 9.03(a)  
7 of respondent's Regulation 1.

8 II.

9 Having had no other prior offense and considering the efforts  
10 of the owners of the vessel to minimize pollution, it is proper  
11 that a portion of the civil penalty be conditionally suspended.

12 Therefore, the Board issues this:

13 ORDER

14 The appeal is denied but \$150.00 of the \$250.00 civil penalty is  
15 suspended upon condition that appellant has no further violations of  
16 respondent's Regulation 1 for one year from the date of this order.

17 DONE at Lacey, Washington this 4th day of September, 1973.

18 POLLUTION CONTROL HEARINGS BOARD

19 Walt Woodward  
20 WALT WOODWARD, Chairman

21 W. A. Gissberg  
22 W. A. GISSBERG, Member

23  
24 JAMES T. SHEEHY, Member

25  
26  
27 FINDINGS OF FACT,  
CONCLUSIONS AND ORDER